



FLOOR AMENDMENT NO. _____

BY: Nicole Collier

2 Amend C.S.H.B. No. 40 (House Committee Report), page 3,
3 SECTION 2 (c)(1) by inserting in Line 53 the phrase "requires
4 insurance, bonds or other financial security regardless of the
5 depth of the covered occurrence". Appropriately renumber Section
6 2(c).

7
8 (c) The authority of a municipality or other political
9 subdivision to regulate an oil and gas operation is expressly
10 preempted, except that a municipality may enact, amend, or
11 enforce an ordinance or other measure that:

12 (1) requires insurance, bonds or other financial
13 security regardless of the depth of the covered occurrence; or

14 (12) regulates only aboveground activity related to
15 an oil and gas operation that occurs at or above the surface of
16 the ground, including a regulation governing fire and emergency
17 response, traffic, lights, or noise, or imposing notice or
18 reasonable setback requirements;

19 (23) is commercially reasonable;

20 (34) does not effectively prohibit an oil and gas
21 operation conducted by a reasonably prudent operator; and

22 (45) is not otherwise preempted by state or federal
23 law.